



BOARD OF CORRECTIONS 600 BERCUT DRIVE, SACRAMENTO, CA 95814 916/445-5073 www.bdcorr.ca.gov

March 2, 1998

Dear Sheriff/Chief of Police/Chief Probation Officer:

Reporting Requirements: Penal Code Section 4032, Incidents of Gassing

On January 1, 1998, the Governor signed Senate Bill 136 into law enacting Penal Code Section 4032. Section 4032 mandates certain procedures and investigations, in addition to reporting to the Board of Corrections, when there is an incident of battery by "gassing" in a local correctional facility. The Board of Corrections is mandated to provide the Legislature with a report of statewide incidents and local follow-up by January 1, 2000.

Gassing is defined as "...intentionally placing or throwing, or causing to be thrown, upon the person of another, any mixture of human excrement or other bodily fluids or substances." Local detention facilities that are required to report incidents of battery by "gassing" include city and county jails, as well as juvenile halls and camps.

When an incident of "gassing" occurs in your detention facility, please submit the following to the Board of Corrections within 30 days of the incident:

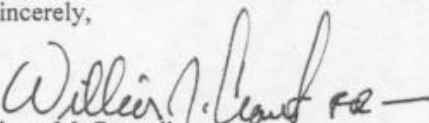
1. a copy of the incident/crime report;
2. a summary of medical tests performed on the victim and suspect including the results and costs involved;
3. the disposition of the case including prosecution or discipline action;
4. rap sheet of arrests and convictions of the suspect;
5. a summary of any procedural steps or equipment that have been added to prevent or deal with future incidents; and
6. the final result of any criminal prosecution if known.

Send reports and information to:

Board of Corrections
Battery by Gassing Report
600 Bercut Drive
Sacramento California 95814

If you have any questions regarding the requirement or procedures for reporting incidents of "gassing", please contact the Board of Corrections staff (916) 455-5073.

Sincerely,


Thom McConnell
Executive Officer, Board of Corrections